

EXHIBIT E

Pechner Deposition

Mocking and Taunting of Deposition Examiner

1. Page 610:

4 Q. When did you do that?

5 A. I don't remember the date.

6 Q. Was it in 1999?

7 A. I don't remember the date.

8 Q. Was it in 2000?

9 A. You asked the question. I answered

10 it. Carry on.

11 Q. Was it in 2001?

12 A. (Witness shrugs.)

2. Page 662:

4 Q. You were a single mom when she was

5 born?

6 A. Yes, I was.

7 Q. What was her date of birth?

8 A. 11/7/89.

9 Q. And your date of birth is what?

10 A. 4/29/73. Yup, I was 17.

11 Q. Okay. I have 16, by my math.

12 A. Oh, 16. Even better. Wow.

13 Started young.

3. Page 729:

5 Q. I'm correct? You and he were

6 dating at that time, correct?

7 A. That's correct.

8 Q. Okay.

9 A. So is it fair to say that because

10 we were dating somebody can write this about a

11 child that's in a picture that "am I your

12 Daddy?" So that's okay to say that?

13 MR. PORR: Motion to strike.

14 Q. Was it common knowledge --

15 A. Motion to strike.

4. Pages 749-750:

6 Q. Okay. If you don't know which is

7 more reliable, why did you opt for the January

8 '99 quote in your verified complaint of 2003?

9 MR. DILDAY: Objection, again.

10 MR. PORR: Noted, counsel.

11 A. I didn't write the complaint.

12 Q. You signed the complaint, didn't

13 you?

14 A. Sure did.

15 Q. And you signed the complaint under

16 pain and penalty of perjury, didn't you?

17 A. Yes, I did.

18 Q. And you did so swearing that --

19 A. Ooh. I'm scared. Ooh. I need a

20 break. I'm scared. I need to take a break.

21 Serious, I need to take a break. I'm scared.

22 MR. PORR: For the record, before

23 Ms. Pechner said she was scared, she made a

24 motion with her hands up and waving them back

1 and forth which I interpreted as mocking my

2 previous question. I guess we'll take a

3 break.

5. Pages 758-759:

3 Q. Okay. The answer is the date of

4 the incident stated in paragraph 69,

5 February 23, '97. Do you see that?

6 A. I do.

7 Q. Okay. So you put the date of the

8 WIC comment as the same date as the Citizens

9 Academy comment?

10 A. I see that.

11 Q. Okay. Did they, in fact, happen on

12 the same day?

13 A. I believe that's a typo error.

14 Q. Okay. You signed these

15 interrogatory responses under penalty of

16 perjury, didn't you?

17 A. We are all human here. There are

18 human errors. You also stood up in the court

19 under the pains and penalties of perjury and

20 said you didn't make Ma Barker a derogatory

21 comment, so let's not go there. I mean, I'm

22 telling you that it's maybe an error and

23 humans make errors.

24 Q. Are you done?

1 A. I'm done.

2 MR. PORR: Motion to strike. Mark

3 the record, please.

4 A. Has your wife ever cheated on you?

5 Q. Are you done?

6 MR. DILDAY: Terri, please, don't

7 say that.

8 A. Has your wife ever had an abortion?